

REMARKS

In reviewing the supplemental notice of allowance, the undersigned noticed that the amendment to the dependency of claim 30 made via the Examiner's Amendment created an antecedent basis issue for the phrase "series of amalgamated images." To address this issue, the undersigned telephone Examiner Azarian on September 19, 2006. Examiner Azarian courteously indicated that this Rule 312 Amendment should be filed to correct the error.

It is respectfully submitted that all pending claims are in condition for allowance and early notice to that effect is earnestly solicited.

NEWLY DISCOVERED ART

The applicants submitted an information disclosure statement on September 19, 2006, citing two new references that were discovered less than three months ago. These references are believed to be cumulative to Kiewit and to not change the patentability determination of the pending claims. However, the art was provided for the Examiner's independent evaluation.

**COMMENTS ON
STATEMENT OF REASONS FOR ALLOWANCE**

The applicants thank the Examiner for his professional and courteous handling of this application. In particular, the applicants thank the Examiner for taking this case up out of order in view of the PTO's prior ruling during the national phase proceedings that all claims as filed were patentable. During a telephone call from the Examiner on July 12, 2006, the Examiner indicated that all claims would be allowed if the amendments made in the Examiner's

amendment were agreed to. Applicants agreed to those amendments to advance this case to issuance, but reserved the right to re-submit the claims in their form prior to amendment for further consideration in a continuation application.

To avoid an infringer unscrupulously misinterpreting the file history of this application, the applicants respectfully traverse the statement of reasons for allowance to the extent it can be construed to import limitations recited in claim 1 into any claim that does not depend from claim 1, or to in any way characterize the scope of any of the claims. In particular, the statement of reasons for allowance appears to indicate that claim 1 is “representing claims 11, 23, and 31-32.” However, the limitations of claims 1, 11, 23, 31 and 32 are not identical and, thus, each of those claims has a different scope. No inference should be made that the scope of any of these claims are coextensive or that the recitations of claim 1 can be imported into any of the other independent claims. On the contrary, while the reasons for allowance mirrors the language of allowed claim 1, it is not reflective (or representative of) most of the remaining claims. Thus, applicants respectfully traverse any suggestion that the recitations of claim 1 can be imported into or used to define the meaning of any other claim that does not depend from claim 1.

Further, although the statement of reasons for allowance identifies the quoted recitations of claim 1 as “key features,” applicants traverse any suggestion that these recitations are in any way “essential” or “key” for distinguishing the art, particularly as they do not appear in all of the claims. A full range of equivalents is available under the doctrine of equivalents for every element of the allowed claims, and the statement of reasons of

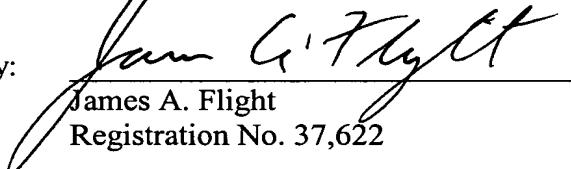
allowance cannot be used by an infringer to unfairly attempt to identify recitations as somehow important to distinguish the art when in fact no rejections were made in this application and no particular recitation was relied upon to patentably distinguish any prior art reference.

If the Examiner is of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is invited to contact the undersigned at the number identified below.

Respectfully submitted,

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